

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

SEAN M. DONAHUE, :
Plaintiff : CIVIL ACTION NO. 3:13-CV-1282
: :
v. : :
: :
: : (JUDGE NEALON)
COMMONWEALTH OF : : (MAGISTRATE JUDGE BLEWITT)
PENNSYLVANIA, ET AL., : :
Defendants : :

FILED
SCRANTON

JUL 30 2013

ORDER

PER 61

DEPUTY CLERK

NOW, THIS ¹⁴ 30 DAY OF JULY, 2013, for the reasons set forth in the Memorandum

issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation, (Doc. 6), is **ADOPTED** as stated in the Memorandum:
 - A. The Complaint, (Doc. 1), is **DISMISSED without prejudice**;
 - B. Defendants are **DISMISSED with prejudice**;
 - C. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 3), is **GRANTED** for the sole purpose of filing this action;
2. Plaintiff's motion to appoint counsel, (Doc. 9), is **DENIED**;
3. The Clerk of Court is directed to **CLOSE** this case; and
4. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.


United States District Judge